

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Thorbjorn ANDERSSON et al

Application No.: 09/856,702

Filed: May 25, 2001

For: MULTILAYER STRUCTURE FOR  
PACKAGING AND PACKAGING  
CONTAINERS MANUFACTURED  
THEREFROM, AS WELL AS  
METHOD FOR MANUFACTURING  
OF THE MULTILAYER  
STRUCTURE



Group Art Unit: 1772

Examiner: Catherine A. Simone

Confirmation No.: 2294

**RECEIVED**

JUL 22 2002

**TC 1700**

**RESPONSE TO RESTRICTION REQUIREMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement forwarded by the Office Action dated June 18, 2002, applicants hereby provisionally elect Group 1, claims 1-21, 29 and 30, drawn to a multilayer structure. This election is made with traverse.

The requirement to separate Group 1 (claims 1-21, 29 and 30) from Group II (claims 22-28 and 31) is respectfully traversed, since both Group I and III relate to a multilayer structure. The Group I claims define a multilayer structure and the Group II claims define a method for manufacturing a multilayer structure. Pursuant to 37 C.F.R. §1.475(b)(1) unity of invention exists to claims drawn only to a product and a process. Also, under 37 C.F.R. §1.475(a) unity of invention is present where there is a special technical relationship among the inventions.

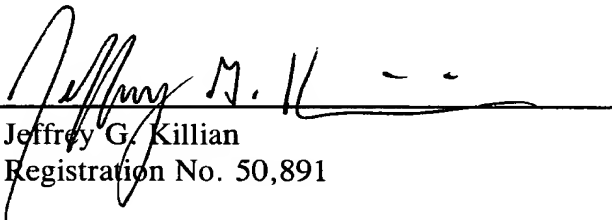
Accordingly, the designation that the Group I claims constitute a separate invention from the Group II claims is requested to be withdrawn.

Further, to the extent that the Office Action appears to allege that claim 1 is unpatentable over EP 0590465, Applicants respectfully disagree. Applicants assert that the merits of patentability of any of the claims has yet to be determined in the National Stage application.

From the above, the Examiner is respectfully requested to reconsider and withdraw the Restriction Requirement and to examine all the claims in this application.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:   
Jeffrey G. Killian  
Registration No. 50,891

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: July 18, 2002



RECEIVED

JUL 22 2002

TC 1700

Patent  
Attorney's Docket No. 027650-930

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )  
 )  
Thorbjorn ANDERSSON et al. ) Group Art Unit: 1772  
 )  
Application No.: 09/856,702 ) Examiner: Catherine A. Simone  
 )  
Filed: May 25, 2001 ) Confirmation No.: 2294  
 )  
For: -MULTILAYER STRUCTURE FOR )  
 )  
PACKAGING AND PACKAGING )  
 )  
CONTAINERS MANUFACTURED )  
 )  
THEREFROM, AS WELL AS METHOD )  
 )  
FOR MANUFACTURING OF THE )  
 )  
MULTILAYER STRUCTURE )

AMENDMENT/REPLY TRANSMITTAL LETTER

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed is a reply for the above-identified patent application.

- ☐ A Petition for Extension of Time is also enclosed.
- ☐ A Terminal Disclaimer and a check for ☐ \$55.00 (248) ☐ \$110.00 (148) to cover the requisite Government fee are also enclosed.
- ☒ Also enclosed is an Information Disclosure Statement
- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) request continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$370.00 (279) ☐ \$740.00 (179) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) previously submitted \_\_\_, on \_\_\_, for which continued examination is requested.
- ☐ Applicant(s) request suspension of action by the Office until at least \_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (146/246) is also enclosed.

☒ No additional claim fee is required.

☐ An additional claim fee is required, and is calculated as shown below:

| AMENDED CLAIMS   |               |   |              |                   |            |
|--|---------------|---|--------------|-------------------|------------|
|  | NO. OF CLAIMS | HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR | EXTRA CLAIMS | RATE              | ADDT'L FEE |
| Total Claims   |               | MINUS =                                   |              | × \$18.00 (103) = |            |
| Independent Claims   |               | MINUS =                                   |              | × \$84.00 (102) = |            |
| If Amendment adds multiple dependent claims, add \$280.00 (104)        |               |   |              |                   |            |
| Total Amendment Fee  |               |   |              |                   |            |
| If small entity status is claimed, subtract 50% of Total Amendment Fee |               |   |              |                   |            |
| TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT                            |               |   |              |                   | \$0.00     |

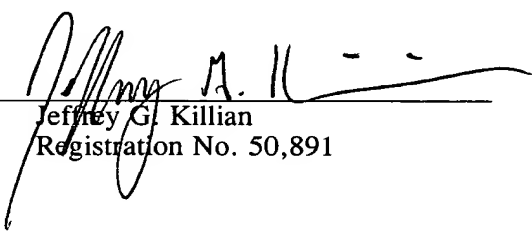
☐ A claim fee in the amount of \$\_\_\_\_\_ is enclosed.

☐ Charge \$\_\_\_\_\_ to Deposit Account No. 02-4800.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:   
Jeffrey G. Killian  
Registration No. 50,891

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: July 18, 2002